

SF-1915 Leave to Proceed

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

NOV 9 2011

MATTHEW J. DYKMAN  
CLERK

*David J. Lopez*

Plaintiff(s)/Petitioner(s),

v

No. CIV 11-998 JOB/RHS

*Warden Anthony Romero,  
% Anthony Rosales.*

Defendant(s)/Respondent(s).

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**PRISONER'S MOTION AND AFFIDAVIT  
FOR LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915**

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I request leave to commence this civil action without prepayment of fees or security therefor pursuant to 28 U.S.C. § 1915. In support of my request, I declare that:

(1) I am unable to pay such fees or give security therefor.

(2) The nature of this action is: 42 U.S.C.

Cruel and unusual  
punishment 4th & 14th  
Amend of the Const.

(3) I am entitled to redress.

(4) I authorize the institution in which I am or have been incarcerated, to release any information concerning my inmate account(s) or other information concerning my financial affairs. I further authorize the agency having custody of me to collect from my trust account and forward to the Clerk of this Court payments in accordance with 28 U.S.C. § 1915(b)(2).

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- (5) I acknowledge and consent that a portion of any recovery, as directed by the Court, shall be paid to the Clerk for reimbursement of all fees and costs incurred by me as a result of being granted leave to proceed in forma pauperis.
- (6) My assets and their value are listed below:  
 (Assets may include income from employment, rent payments, interest or dividends, pensions, annuities, life insurance payments, Social Security, Veteran's Administration benefits, disability pensions, Worker's Compensation, unemployment benefits, gifts or inheritances, cash, funds in bank accounts, funds in prison accounts, real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing), or any other source of income.)

You may attach an additional page, if necessary.

only money sent from family.

**REQUIRED CERTIFICATION:** you must attach to this motion and affidavit a certified copy of your trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this action. You must obtain the certified copy of your trust fund account statement (or institutional equivalent) from the appropriate official or each penal institution at which you are or were confined during the six-month period."

I declare under penalty of perjury that the foregoing is true and correct.

Executed at

P.N.M. Wash DC, 10/20/11

(location)

(date)

Prisoner's Original Signature

Date 10/25/2011

New Mexico Corrections Department  
Inmate Trust AccountingPage 1 of 2  
abete783**Account Transaction History**  
From 04/01/2011 To 10/25/2011

Offender Name		NMCD # Account Description		Account Number
LOPEZ, DAVID JOSEPH		48580 INMATE REGULAR SPENDING		2140
Transaction ID	Date	Description	Amount	Balance
	04/01/2011	Beginning Balance		.00
1574720	04/14/2011	Cash Receipt - BERNALILLO COUNTY	.16	.16
1580893	04/28/2011	Cash Receipt - ARMENTA, GLORIA	70.00	70.16
1585583	05/11/2011	CNMCF-11-650 RDC - ELECTRONICS	-19.00	51.16
1593556	05/17/2011	Commissary Purchase; Invoice 2	-17.15	34.01
1594625	05/24/2011	Commissary Purchase; Invoice 2	.00	34.01
1595783	06/02/2011	Commissary Purchase; Invoice 2	-9.95	24.06
1596967	06/07/2011	Cash Receipt - ARMENTA, GLORIA	35.00	59.06
1598112	06/08/2011	CNMCF/ PAYMENT FOR A BROKEN VENT PLUS TIME AND LABOR.,	-50.00	9.06
1604753	06/14/2011	Commissary Purchase; Invoice 2	-8.95	.11
1607669	06/16/2011	Cash Receipt - ARMENTA, GLORIA	30.00	30.11
1608467	06/21/2011	Commissary Purchase; Invoice 2	.00	30.11
1610293	07/05/2011	Commissary Purchase; Invoice 2	-12.00	18.11
1612559	07/08/2011	Cash Receipt - ARMENTA, GLORIA	25.00	43.11
1617260	07/12/2011	Commissary Purchase; Invoice 2	-16.00	27.11
1621827	07/19/2011	Cash Receipt - ARMENTA, GLORIA	20.00	47.11
1622121	07/20/2011	Commissary Purchase; Invoice 3	.00	47.11
1623325	07/27/2011	Commissary Purchase; Invoice 3	.00	47.11
1624496	08/03/2011	Commissary Purchase; Invoice 3	.00	47.11
1628645	08/11/2011	Commissary Purchase; Invoice 3	.00	47.11
1635197	08/17/2011	Cash Receipt - ARMENTA, GLORIA	30.00	77.11
1636081	08/17/2011	Commissary Purchase; Invoice 3	-32.88	44.23
1637670	08/26/2011	Commissary Purchase; Invoice 3	.00	44.23
1638131	08/31/2011	Cash Receipt - ARMENTA, GLORIA	20.00	64.23
1638284	08/31/2011	Commissary Purchase; Invoice 3	.00	64.23
1639064	09/07/2011	Commissary Purchase; Invoice 3	-28.91	35.32
1640914	09/08/2011	PNM L5 STORE SALE	-8.15	27.17
1646727	09/14/2011	Commissary Purchase; Invoice 3	-13.04	14.13
1647904	09/15/2011	Cash Receipt - ARMENTA, GLORIA	40.00	54.13
1651655	09/21/2011	Commissary Purchase; Invoice 3	-20.34	33.79
1652298	09/27/2011	Commissary Purchase; Invoice 3	-29.01	4.78
1653166	10/04/2011	Cash Receipt - ARMENTA, GLORIA	20.00	24.78
1653452	10/05/2011	Commissary Purchase; Invoice 3	-4.17	20.61

Date 10/25/2011

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Inmate Trust Accounting  
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Offender Name		NMCD # Account Description		Account Number
LOPEZ, DAVID JOSEPH		48580 INMATE REGULAR SPENDING		2140
Transaction ID	Date	Description	Amount	Balance
1664628	10/20/2011	Commissary Purchase; Invoice 3	-19.33	1.28
	10/25/2011	Ending Balance		1.28